

05/10/2006 09:08 AM
 Doc stamps 647.50
 Intangible Tax 370.00
 Instrument# 2006-118164 # 1
 Book: 5826
 Page: 1430

Exhibit C

1

WHEN RECORDED MAIL TO:



Record and Return To:
 United General Title Ins
 Floor-600A N. John Rodas Blvd
 SMITH, JAMES AKA SM Melbourne, FL 32934



This Modification of Mortgage prepared by:

Name: Yolande Garrett
 Company: AmSouth Bank
 Address: P.O. BOX 830721, BIRMINGHAM, AL 35283

RECEIVED
 JUN 05 2006
 CONS. LOAN VAULT

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE dated March 31, 2006, is made and executed between LOREE C SMITH, whose address is 1225 ROXBORO RD, LONGWOOD, FL 327506818 and JAMES SMITH, A/K/A JAMES M SMITH whose address is 1225 ROXBORO RD, LONGWOOD, FL 327500000; wife and husband (referred to below as "Grantor") and AmSouth Bank, whose address is 125 Wekiva Springs Road, Longwood, FL 32779 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated January 13, 2003 (the "Mortgage") which has been recorded in VOLUSIA County, State of Florida, as follows:

RECORDED 02-03-2003 IN VOLUSIA COUNTY, BOOK 5009 PAGE 2906.

REAL PROPERTY DESCRIPTION. The Mortgage covers the following described real property located in VOLUSIA County, State of Florida:

See EXHIBIT A, which is attached to this Modification and made a part of this Modification as it fully set forth herein.

The Real Property or its address is commonly known as 421 ATLANTIC AVENUE, NEW SMYRNA BEACH, FL 321690000.

MODIFICATION. Lender and Grantor hereby modify the Mortgage as follows:

The Credit Limit or maximum principal indebtedness secured by the Mortgage (excluding finance charges, any temporary overages, other charges and any amounts expended or advanced as provided in the Mortgage) is hereby increased from \$65,000.00 to \$250,000.00.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect and are legally valid, binding, and enforceable in accordance with their respective terms. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Mortgage as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Mortgage (the "Note"). It is the intention of Lender to retain as liable all parties to the Mortgage and all parties, makers and endorser to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Mortgage does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED MARCH 31, 2006.

GRANTOR:

X LOREE C SMITH

X JAMES M SMITH

WITNESSES:

X LISA NOLET

X LISA NOLET

LENDER:

AMSOUTH BANK

X Authorized Signer

Page 2

STATE OF CALIFORNIA

COUNTY OF Seminole

The foregoing instrument was acknowledged before me this 31 day of MAY, 2006
by LOREE C SMITH and JAMES SMITH, wife and husband, who are personally known to me or who have produced
GLDL as identification and did / did not take an oath.

(Signature of Person Taking Acknowledgment)

(Name of Acknowledger Typed, Printed or Stamped)

(Title or Rank)

(Serial Number, if any)



STATE OF FLORIDA

COUNTY OF SPRINGFIELD

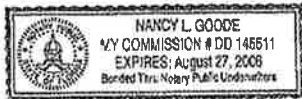
The foregoing instrument was acknowledged before me this 31 day of MARCH, 2006 by Richard Bryan. He or she is personally known to me or has produced _____ as identification and did / did not take an oath.

(Signature of Person Taking Acknowledgment)

(Name of Acknowledger Typed, Printed or Stamped)

(Title or Rank)

(Serial Number, if any)



G1112091

SCHEDULE A

THE FOLLOWING DESCRIBED REAL PROPERTY LYING AND BEING SITUATED
IN VOLUSIA COUNTY, FLORIDA, TO-WIT:

UNIT 305, OCEANIA PLAZA CONDO PHASE I, A CONDOMINIUM, ACCORDING
TO THE DECLARATION OF CONDOMINIUM THEREOF, AS RECORDED IN
OFFICIAL RECORDS BOOK 2419, PAGE(S) 1084, ET SEQ., OF THE PUBLIC
RECORDS OF VOLUSIA COUNTY, FLORIDA; AND ANY AMENDMENTS
THERE TO; TOGETHER WITH AN UNDIVIDED INTEREST IN AND TO THOSE
COMMON ELEMENTS APPURTENANT TO SAID UNIT IN ACCORDANCE WITH
AND SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS, TERMS
AND OTHER PROVISIONS OF THAT DECLARATION OF CONDOMINIUM.

KNOWN: 421 ATLANTIC AVENUE